



4910-06-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

**[Docket No. FRA-2017-0002-N-1]**

### **Proposed Renewal of Agency Information Collection Activities; Comment Request**

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice and request for comments.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of proposed information collection activities. Before submitting these information collection requests (ICR) to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities, which are identified below.

**DATES:** Comments must be received no later than [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Submit written comments on any of the following information collection activities by mail to either: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Safety Analysis Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 17, Washington, DC 20590, or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to

acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, “Comments on OMB control number 2130-XXXX” (the relevant OMB control number for each ICR is listed below), and should also include the title of the collection. Alternatively, comments may be faxed to (202) 493-6216 or (202) 493-6497, or e-mailed to Mr. Brogan at [Robert.Brogan@dot.gov](mailto:Robert.Brogan@dot.gov), or to Ms. Toone at [Kim.Toone@dot.gov](mailto:Kim.Toone@dot.gov). Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Safety Analysis Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292) or Ms. Kimberly Toone, Information Collection Clearance Officer, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE, Mail Stop 35, Washington, D.C. 20590 (telephone: (202) 493-6132). These telephone numbers are not toll-free.

**SUPPLEMENTARY INFORMATION:**

The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days’ notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA

invites interested parties to comment on the following summary of information collection activities regarding: (1) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) how FRA can enhance the quality, utility, and clarity of the information being collected; and (4) how FRA can minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques and other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations mandate. In summary, FRA reasons that comments received will advance three objectives: (1) reduce reporting burdens; (2) ensure it organizes information collection requirements in a "user-friendly" format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of currently approved information collection activities FRA will submit for renewed clearance by OMB as required under the PRA:

Title: Passenger Train Emergency Preparedness

OMB Control Number: 2130-0545

Abstract:

Under 49 CFR part 239, Passenger Train Emergency Preparedness, FRA requires railroads to meet minimum Federal standards for the preparation, adoption, and implementation of emergency preparedness plans connected with the operation of passenger trains, including freight railroads hosting passenger rail service operations. To help ensure compliance with the regulation, FRA requires railroads to conduct operational tests of their personnel responsible for implementing the emergency preparedness plans. Requirements formerly in § 239.107 related to doors have been moved to § 238.112. Requirements formerly in § 239.107 related to windows have been moved to § 238.307. See 78 FR 71785, Nov. 29, 2013.

Form Number(s): N/A

Affected Public: Businesses

Respondent Universe: 45 Railroads

Frequency of Submission: On occasion

Reporting Burden:

CFR section	Respondent universe (railroads)	Total annual responses	Average time per response	Total annual burden hours
239.13 – waivers	45 railroads	1 waiver petition	20 hours	20 hours

239.101/201/203 -- emergency preparedness plan: amended plans -- subsequent years: amended emergency preparedness plans -- non-substantive changes to emergency preparedness plan -- emergency preparedness plans for new/start-up railroads -- initial training of railroad control center and emergency response communications center personnel on emergency preparedness plan (EPP) provisions -- periodic EPP training of same groups of employees -- initial EPP training of new railroad employees and contractor/ contracted employees	45 railroads	45 amended plans	31.33 hours	1,410 hours
	45 railroads	9 amended plans	31.33 hours	282 hours
	45 railroads	4 amended plans	1 hour	4 hours
	2 new railroads	2 new plans	80 hours	160 hours
	45 railroads	540 initially trained employees	8 hours	4,320 hours
	45 railroads	54 periodically trained employees	4 hours	216 hours
	45 railroads	135 trained new employees	8 hours	1,080 hours
239.101(a)(1)(ii) – RR designation of employees responsible for maintaining emergency phone numbers for use in contacting outside emergency responders and appropriate RR officials that a passenger emergency has occurred – commuter/inter city passenger RRs gathering/keeping emergency phone numbers	45 railroads	45 designations	5 minutes	4 hours
	45 railroads	2 lists/updated records	1 hour	2 hours
239.101(a)(3) – coordinating applicable portions of emergency preparedness plan between each railroad hosting passenger service and each railroad that provides or operates such service	45 railroads	1 coordinated plan	16 hours	16 hours
239.101(a)(5) – Updating emergency responder liaison information and conducting emergency simulation	45 railroads	45 updated plans	40 hours	1,800 hours

239.101(a)(7) – RR dissemination of information regarding emergency procedures/ instructions	2 new railroads	1,300 cards/ 2 programs/2 safety messages + 2 programs + 2 safety messages	5 minutes/16 hours/ 48 hours/8 hours/ 24 hours	300 hours
239.105 – Debrief and critique sessions	45 railroads	79 debrief/critique sessions	27 hours	2,133 hours
239.301(a)– RR operational tests/ inspection of on-board, control center, & emergency response center personnel -- (b) and (c) maintenance and retention of operational tests/ inspection records -- (d) RR retention of 1 copy of operational testing & inspection program -- (e) RR six-month review of tests/inspections and adjustments to program of operational tests/ inspections -- (f) RR annual summary of tests/ inspections & record of each summary	45 railroads	25,000 operational tests/inspections	15 minutes	6,250 hours
	45 railroads	25,000 records	2 minutes	833 hours
	45 railroads	90 program copies/ records	3 minutes	5 hours
	45 railroads	90 periodic reviews/ analyses	2 hours	180 hours
	45 railroads	45 annual summaries + 30 annual summary hard copies	5 minutes + 1 min.	5 hours

Total Estimated Annual Responses: 69,670

Total Estimated Annual Burden: 21,470 hours

Type of Request: Regular Review of a Currently Approved Information Collection

Title: Locomotive Cab Sanitation Standards

OMB Control Number: 2130-0552

Abstract: FRA’s locomotive cab sanitation standards, 49 CFR 229.137 and 229.139, prescribe minimum standards for locomotive sanitation facilities. FRA uses this collection of information to promote rail safety and the health of railroad workers by ensuring all locomotive crew members have access to functioning and hygienic

toilet/sanitary facilities on an as needed basis. FRA also uses this collection of information to ensure railroads timely repair defective locomotive sanitary facilities.

Form Number(s): N/A

Affected Public: Businesses

Frequency of Submission: One-time

Respondent Universe: 744 railroads

Reporting Burden:

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
229.137(d) - Defective locomotive toilet facility – Tagging	744 railroads	11,700 tags/notices	90 seconds	293 hours
229.137(e) Defective but sanitary locomotive toilet facility – Tagging	744 railroads	7,956 tags/notices	90 seconds	199 hours
229.139(d) Switching or transfer service - defective locomotive toilet facility – Notation on daily inspection report	744 railroads	93,600 notations	30 seconds	780 hours

Total Estimated Responses: 113,256

Total Estimated Annual Burden: 1,272 hours

Type of Request: Regular Review of a Currently Approved Information Collection

Title: Locomotive Crashworthiness

OMB Control Number: 2130-0564

Abstract: FRA's Locomotive Crashworthiness Design Requirements (49 CFR part 229, subpart D) prescribe minimum crashworthiness standards for locomotives. These crashworthiness standards are intended to help protect locomotive cab occupants in the

event of a collision or other accident involving a locomotive. FRA uses the collection of information to ensure railroads use locomotives that meet the prescribed minimum performance standards and design load requirements for newly manufactured and re-manufactured locomotives.

Form Number(s): N/A

Affected Public: Businesses/Public/Interested Parties

Frequency of Submission: On occasion; One-time

Respondent Universe: 725 railroads/4 Locomotive Manufacturers

Reporting Burden:

CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
229.207(b)– Petition for FRA approval of new locomotive crashworthiness design -- (c) Petition for FRA approval of substantive changes to FRA-approved locomotive crashworthiness design standard -- (d) Petition for FRA approval of non-substantive changes to existing FRA approved locomotive crashworthiness design standard	725 railroads/4 locomotive manufacturers	2 petitions	1,050 hours	2,100 hours
	725 railroads/4 locomotive manufacturers	1 petition	1,050 hours	1,050 hours
	725 railroads/4 locomotive manufacturers	1 petition	400 hours	400 hours
229.209(b)– Petition for FRA approval of alternative locomotive crashworthiness design	725 railroads/4 locomotive manufacturers	1 petition	2,550 hours	2,550 hours



CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
229.211 – (b)(2) Processing of petition – comments to FRA on petitions -- (b)(3) Additional information obtained from public at FRA hearings	725 railroads/4 locomotive manufacturers	5 comments	16 hours	80 hours
	725 railroads/4 locomotive manufacturers/public/other interested parties	2 hearings (8 comments per hearing @ 3 hours each)	24 hours	48 hours
229.213(a) Locomotive manufacturing information: retention by railroads	725 railroads	1,000 records/stickers/badge plates	6 minutes	100 hours
239.215 – (a) Manufacturer retention of original locomotive designs -- (b) Owner/lessee retention of records regarding repair or modification to locomotive crashworthiness features -- (c) Inspection of records required in 239.215(a)&(b) from custodian upon FRA request	4 locomotive manufacturers	24 locomotive records	8 hours	192 hours
	725 railroads/locomotive lessees	6 locomotive crashworthiness modification/repair records	4 hours	24 hours
	725 railroads/4 locomotive manufacturers	10 records	2 minutes	.33 hour

Total Estimated Responses: 1,052

Total Estimated Annual Burden: 6,544 hours

Type of Request: Regular Review of a Currently Approved Information Collection

Title: Critical Incident Stress Plans

OMB Control Number: 2130-0602

Abstract: FRA issued its Critical Incident Stress Plans Final Rule (49 CFR part 272), on March 25, 2014. See 79 FR 16218. Part 272 requires Class I, intercity passenger, and commuter railroads to develop, and submit to FRA for approval, critical incident stress plans that provide appropriate support services be offered to their employees who are

affected by a critical incident as defined in 49 CFR 272.9. FRA uses the information collected to ensure the minimum standards of Part 272 are met.

Form Number(s): N/A

Affected Public: Businesses/Rail Labor Unions

Frequency of Submission: One-time

Respondent Universe: 34 railroads

Reporting Burden:

CFR Section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
272.103 – (a) Railroad submission of updated/modified existing critical incident stress plan (CISP) to FRA for approval	34 railroads	34 updated/modified plans	16 hours	544 hours
--(b) RR CISP copy to 5 labor organizations	34 railroads	170 plan copies	5 minutes	14 hours
-- (c)(1) Rail labor organization comment to FRA on CISP submission	5 employee labor organizations	65 comments	3 hours	195 hours
--(2)(1) Rail labor affirmative statement to FRA that comment copy has been served on railroad	5 employee labor organizations	65 certifications	15 minutes	16 hours
(e) Copy to RR employees of updated/modified CISP	34 railroads	169,500 copies	5 minutes	14,125 hours
(f) RR copy to FRA inspector upon request of CISP	34 railroads	136 plan copies	5 minutes	11 hours
272.105 – Requirement to file CISP electronically	34 railroads	34 CISP electronic submissions	5 minutes	3 hours

Total Estimated Responses: 170,004

Total Estimated Annual Burden: 14,908 hours

Type of Request: Regular Review of a Currently Approved Information Collection

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501-3520.

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